

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:

Lister, 17-cv-4336-JNE-FLN
Rich et al., 16-cv-2631-JNE-FLN
Richey, 17-cv-5323-JNE-FLN
Smith et al., 17-cv-2889-JNE-FLN
Steele, 17-cv-1262-JNE-FLN

**AMENDED NOTICE OF HEARING
ON DEFENDANTS' SECOND
MOTION TO DISMISS CASES FOR
FAILURE TO COMPLY WITH
PRETRIAL ORDER NO. 23 AND/OR
FED. R. CIV. P. 25(a)**

PLEASE TAKE NOTICE that the undersigned will bring three of the five above actions (*Lister*, *Rich*, and *Richey*) in Defendants' Second Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 and/or Fed. R. Civ. P. 25(a) (Dkt. No. 1354) for hearing before the Honorable Judge Joan N. Ericksen, United States District Judge, in Courtroom 12W at the United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 at the scheduled status conference on October 18, 2018 at 9:30 a.m.

Steele has been dismissed by stipulation. Defendants have agreed to defer argument on *Smith* because plaintiff's counsel in that matter has a scheduling conflict.

This motion, based on the Memorandum in Support of Defendants' Second Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 and/or Fed. R. Civ. P. 25(a), the Declaration of Benjamin Hulse, and argument to be presented at the hearing of this matter, seeks an Order of the Court dismissing these cases.

Dated: October 11, 2018

Respectfully submitted,

/s/ Benjamin W. Hulse

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